

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 10/692,580
Applicant : Boris S. Jacobson, et al.
Filed : October 24, 2003
T.C./A.U. : 2836
Examiner : Daniel J. Cavallari

Confirmation No.: 9035

Docket No. : RTN-183AUS
Customer No. : 33164

REQUEST FOR REFUND

Mail Stop 16
U.S. Patent and Trademark Office
P. O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Applicants are hereby requesting a refund in the amount of the RCE filing fee of \$810. A response to an outstanding office action, together with a two month extension of time and a Request for Continued Application (RCE), was filed for the above-identified U.S. patent application on May 29, 2009. In connection with the above-identified filing on May 29, 2009, Applicant paid via deposit account an total fee of \$1300, which covered the two month extension of time fee of \$490 and the RCE filing fee of \$810. However, **the inadvertent addition of the RCE to the aforementioned office action response was an unintentional error**, because the office action response that was filed clearly indicated, on its face, that it was being made in response to the pending non-final office action dated March 29, 2009. Applicants have now received a Notification of Improper Request for Continued Examination (RCE) dated September 1, 2009 in connection with the above patent application. The \$810 RCE fee paid is, therefore, an overpayment.

Accordingly, Applicant respectfully requests a refund in the amount of \$810. Authorization is hereby provided to credit the refund to Deposit Account Number 500845 referencing Attorney Docket: RTN-183AUS.

The Examiner is respectfully invited to telephone the undersigning attorney if there are any questions regarding this Request or this application.

Respectfully submitted,

Date: September 2, 2009

/Marianne M. Downing/
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